

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

ALVIN CURTIS GRAHAM

CASE NO: 10-70350-HDH-13

HEARING DATE: 5/11/2011

HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
017 0 U	WWW ASSET THREE CORP	\$3,623.64			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
009 0	WICHITA COUNTY	2010 PROPERTY TAXES - 4507 LAKE PARK DR	\$3,850.19	\$176,294.00	12.00%	60	\$96.40 PAID BY TRUSTEE
		Increased term from 56 to 60 months. See modification below.					
012 0	TEXAS CAR TITLE & PAYDAY LOAN	1983 MERCEDES	\$1,160.34	\$4,500.00	8.00%	60	\$25.96 PAID BY TRUSTEE
		Increased term from 56 to 60 months. See modification below.					
013 0	UNION SQUARE FEDERAL C/U	2002 FORD F 150	\$8,863.66	\$8,975.00	7.30%	60	\$202.43 PAID BY TRUSTEE
		Increased term from 56 to 60 months. See modification below.					
014 0	VERICREST FINANCIAL INC	HOME ARREARS THRU 08-2010	\$11,457.57	\$164,293.82	8.00%	60	\$263.77 PAID BY TRUSTEE
		Increased term from 56 to 60 months. See modification below.					
015 0	VERICREST FINANCIAL INC	DIRECT PMTS BGIN 9-2010	\$154,637.04	\$164,293.82			PD DIRECT BY DEBTOR
032 0 *	VERICREST FINANCIAL INC	POST PETITION ARREARS FOR 10/10 THRU 3/11	\$8,923.80	\$164,293.82		60	\$174.98 PAID BY TRUSTEE
		Not provided for in confirmed plan. See modification below.					
<b><u>PRIORITY CREDITORS</u></b>							
003 0	INTERNAL REVENUE SERVICE	2010 FICA TAXES	\$3,080.20			60	\$60.40 PAID BY TRUSTEE
		Increased term from 56 to 60 months. See modification below.					
025 0 *	REVENUE ACCOUNTING DIVISION	01/01 TO 06/30 2010 TAXES, PENALTIES AND INTEREST	\$4,770.63			60	\$93.54 PAID BY TRUSTEE
		Not provided for in confirmed plan. See modification below.					
029 0 *	TEXAS WORKFORCE COMMISSION	QUARTERLY TAX PERIOD 2/10, 3/10	\$424.91			60	\$8.33 PAID BY TRUSTEE
		Not provided for in confirmed plan. See modification below.					

Trustee Clm#	Creditor Name	Claim Amount
008 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES	\$1,884.67
028 0 U *	INTERNAL REVENUE SERVICE PENALTY	\$209.14
Not provided for in confirmed plan.		

Trustee Clm#	Creditor Name	Claim Amount
010 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/GEMB SAMS CLUB	\$343.98

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All claims shall be treated over a 60 month plan term.

Vericrest Financial shall be allowed a secured record for post petition arrears in the amount of \$8,923.80. Said claim shall be valued at \$164,293.82 and paid through the plan at 0% interest over 60 months with a payment of \$174.98 per month.

The priority claim filed by Revenue Accounting Division for \$4,770.63 shall be paid through the plan over 60 months with a payment of \$93.54 per month.

The priority claim filed by Texas Workforce Commission for \$424.91 shall be paid through the plan over 60 months with a payment of \$8.33 per month.

Debtor shall pay \$550 per month beginning September 2010 for 2 months; then Debtor shall pay \$570 per month beginning November 2010 for 7 months; then Debtor shall pay \$1,029 per month beginning June 2011 for the remaining 51 months for a total plan base amount of \$57,569.00.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/11/2011 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

ALVIN CURTIS GRAHAM 4507 LAKE PARK DR WICHITA FALLS TX 76302  
CHASE 800 BROOKSEdge BLVD WESTERVILLE OH 43081  
CITY OF WF, WFISD, WICHITA COUNTY CO PERDUE BRANDON FIELDER COLLINS & MOTT PO BOX 8188 WICHITA FALLS TX 76307  
GEMB SAMS CLUB DC ATTENTION BANKRUPTCY PO BOX 103104 ROSWELL GA 30076  
GREGORY A ROSS LAW OFFICES OF GREGORY A ROSS PC 4245 KEMP BLVD SUITE 308 WICHITA FALLS TX 76308  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
OFFICE OF THE ATTORNEY GENERAL BANKRUPTCY AND COLLECTION DIVISION PO BOX 12548 AUSTIN TX 78711  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
REVENUE ACCOUNTING DIVISION BANKRUPTCY SECTION PO BOX 13528 AUSTIN TX 78711  
SUMMIT TRUSTEE SERVICES LLC 16745 W BERNARDO DRIVE STE 300 SAN DIEGO CA 92127  
TEXAS CAR TITLE & PAYDAY LOAN THE SALKIN LAW FIRM PA 1776 N PINE ISLAND ROAD SUITE 218 PLANTATION FL 33322  
TEXAS CAR TITLE AND PAYDAY LOAN 3608 KELL BLVD WICHITA FALLS TX 76309  
TEXAS WORKFORCE COMMISSION REGULATORY ENFORCEMENT DIV, SPECIAL ACT 101 E 15TH STREET, RM 556 AUSTIN TX 78778  
UNION SQUARE FCU PO BOX 6050 SHEPPARD AFB TX 76311  
UNION SQUARE FEDERAL C/U 1401 HOLLIDAY WICHITA FALLS TX 76301  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
VERICREST FINANCIAL INC ATTN LOSS RECOVERY PO BOX 24610 OKLAHOMA CITY OK 73124  
VERICREST FINANCIAL INC BAXTER & REYES 5950 BERKSHIRE LANE SUITE 410 DALLAS TX 75225  
VERICREST FINANCIAL INC PO BOX 24330 OKLAHOMA CITY OK 73124  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242  
WWW ASSET THREE CORP 4120 30TH STREET #202 SAN DIEGO CA 92104  
WWW ASSET THREE CORP 726 SCOTT AVE CRESENT PLAZA HOTEL WICHITA FALLS TX 76301